



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1754
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In re the Application of: **Hisaji MATSUI, et al.**

Date Allowed: 8-11-03

Group Art Unit: 1754

Serial Number: 09/868,620

Examiner: **Peter J. Lish**

Filed: **June 25, 2001**

P.T.O. Confirmation No.: 1040

FOR: **AMORPHOUS NANO-SCALE CARBON TUBE AND PRODUCTION METHOD THEREFOR**

REQUEST FOR RETURN OF FORM PTO-1449

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 22, 2003

Sir:


On July 31, 2002, an Information Disclosure Statement was filed listing twelve references. When returned with the Office Action of October 25, 2002, ten of the twelve references were initialed, but the last two were lined through as not considered.

Applicants believe that these references were timely presented in the Information Disclosure Statement of July 31, 2002, and here request that the Examiner initial the attached Form PTO-1449 to indicate consideration of these references.

The Examiner is requested to telephone the undersigned should he have any questions concerning this Request.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP


Daniel A. Geselowitz, Ph.D.
Agent for Applicants
Reg. No. 42,573

DAG/plb
Atty. Docket No. 010756
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



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PATENT TRADEMARK OFFICE

Enclosure: Information Disclosure Statement filed on July 31, 2002
Copy of Form PTO-1449 returned with Office Action of October 25, 2002
Date Stamped Post Card (copy)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **MATSUI, Hisaji et al.**

Serial No.: **09/868,620**

Filed: **June 25, 2001**

Group Art Unit: **1754**

Examiner: **Unassigned**

P.T.O. Confirmation No.: **1040**

**FOR: AMORPHOUS NANO-SCALE CARBON TUBE AND PRODUCTION
METHOD THEREFOR**

INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 CFR 1.97(b)

Commissioner for Patents
Washington, D.C. 20231

July 31, 2002

Sir:

The attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached Form PTO-1449. One copy of each of these documents is attached along with a List of Publications.

No fee or certification is required in connection with this Information Disclosure Statement, since it is being submitted prior to the issuance of a first official action on the merits or expiration of the three month period following the filing date or the entry of the national stage of the above-captioned application.


The above information is presented so that the Patent and Trademark Office can, in the first instance, determine any materiality thereof to the claimed invention. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the documents cited in the attached Form PTO-1449 be made of record therein and appear on the first page of any patent to issue therefrom.

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The Commissioner is authorized to charge our Deposit Account No. 01-2340 for any fee which is deemed by the Patent and Trademark Office to be required to effect consideration of this statement.

Respectfully submitted,

ARMSTRONG, WESTERMAN & HATTORI, LLP


Stephen G. Adrian
Attorney for Applicant
Reg. No. 32,878

SGA/alw

Atty. Docket No. **010756**
Suite 1000, 1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



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Enclosures: PTO-1449, List of Publications
and references (12)

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INFORMATION DISCLOSURE CITATION PTO-1449	Atty. Docket No. 010756	Serial No. 09/868,620
	Applicant(s): MATSUI, Hisaji et al.	
	Filing Date: June 25, 2001	Group Art Unit: 1754

FOREIGN PATENT DOCUMENTS

Document No.		Date	Country	Translation/Abstract (Yes or No)
_____	AA			
_____	AB			
_____	AC			
_____	AD			

OTHER DOCUMENTS

_____	AE	
_____	AF	
	AG	
	AH	
	AI	
	AJ	
	AK	
		Toshikatsu ISHIKAWA et al., "Shin Tanso Kogyo", pub. by Kindai Henshuusha on July 1, 1986, Revised Edition, pages 64-65
		Morinobu ENDO et al., "Formation of carbon nanotubes and nanofibers by gas phase pyrolysis and their industrial applications", Part 1, Carbon Nanotube etc. Nanotechnology held by New Energy Development Organization on April 25, 2001.
Examiner		Date Considered

O.T.P.E. JC98
 AUG 22 2003
 PATENT & TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION OPTO 4449	Atty. Docket No. 010756	Serial No. 09/868,620
	Applicant(s): MATSUI, Hisaji et al.	
	Filing Date: June 25, 2001	Group Art Unit: 1754

JUL 31 2002
 PATENT & TRADEMARK OFFICE

FOREIGN PATENT DOCUMENTS

Document No.	Date	Country	Translation/Abstract (Yes or No)
<u>PL</u> AA WO 99/43613	09/02/99	Europe	<u>Abstract</u> Yes
<u>PL</u> AB WO 99/56870	11/11/99	Europe	<u>No</u> Yes
<u>PL</u> AC 62-500943	04/16/87	Japan (which is a domestic publication of JP translation of WO 86/03455)	<u>No</u> Yes
<u>PL</u> AD 10-72201	03/17/98	Japan	<u>Abstract</u> Yes

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OTHER DOCUMENTS

<u>PL</u>	AE	Kyotani et al., <i>Chem. Mater.</i> , 1996, Vol. 8, No. 8, pp. 2109-2113, pub. 1996.
<u>PL</u>	AF	Wenlou WANG et al., <i>Electrochemical Society Proceedings</i> , 1977, Vol. 97, No. 14, pp. 814-824, pub. 1997.
<u>PL</u>	AG	N.I. Maksimova et al., <i>Carbon</i> , 1999, Vol. 37, No. 10, pp. 1657-1661, received by JICST on Sept. 30, 1999.
<u>PL</u>	AH	Kawase et al., <i>Carbon</i> , 1999, Vol. 37, No. 3, pp. 522-524, published in February 1999.
<u>PL</u>	AI	E.F. Kukovitskii et al., <i>Chemical Physics Letters</i> , 1997, Vol. 266, pp. 323-328, pub. 1997.
<u>PL</u>	AK	A.C. Dillon et al., <i>Nature</i> 1997, Vol. 386, pp. 377-379, pub. March 1997.
	AK	Toshikatsu ISHIKAWA et al., "Shin-Tanso Kogyo", pub. by Kindai Henshuusha on July 1, 1986, Revised Edition, pages 64-65
	AK	Morinobu ENDO et al., "Formation of carbon nanotubes and nanofibers by gas phase pyrolysis and their industrial applications", Part 1, Carbon Nanotube etc. Nanotechnology held by New Energy Development Organization on April 25, 2001.

Examiner

[Signature]

Date Considered

10/21/02

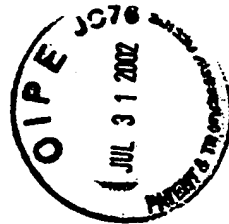
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CARD NO: 14200

U.S. Patent Application Docket No: 010756
Serial No: 09/868,620 Filed: 06/25/01
Patent Number: Issued:
Applicant(s): MATSUI, Hisaji et al.

Papers filed herewith on: 07/31/02

Other: Information Disclosure Statement and PTO-1449 w/
12 References and List of Publications



COMMISSIONER OF PATENTS

Receipt is hereby acknowledged of the papers filed as indicated
in connection with the above-identified case.

SGA/ARF